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FEB - 1 2012 *oo*TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

JEFF KENOL

: DOCKET NO. 6:11-cv-0706

Section P

VS.

: JUDGE DOHERTY

WARDEN VIATOR, ET AL.

: MAGISTRATE JUDGE HILL

J U D G M E N T

This matter was referred to United States Magistrate Judge C. Michael Hill for Report and Recommendation. No objections have been filed. The Court concludes that the Report and Recommendation of the magistrate judge is correct and therefore adopts the conclusions set forth therein. Accordingly;

IT IS ORDERED that the Respondents' Motion to Dismiss [doc. 13] is **GRANTED** and accordingly, this petition is **DENIED AND DISMISSED** as moot.

IT IS FURTHER ORDERED that the respondent's Motion for Summary Judgment [doc. 9] be **DENIED AND DISMISSED** as moot.

THUS DONE AND SIGNED, in chambers, in Lafayette, Louisiana, on this 1
day of February, 2011.



REBECCA F. DOHERTY
UNITED STATES DISTRICT JUDGE